

REMARKS

This Amendment is being filed in response to the Office Action mailed May 13, 2009, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-4, 7-8, 10 and 12-16 remain in this application, where claim 5 has been currently canceled without prejudice and claims 14-16 have been currently added. Claims 1, 10 and 13 are independent.

In the Office Action, claims 1-5, 7-8, 10 and 12-13 are rejected under 35 U.S.C. §112, first paragraph. In response, claims 1, 10 and 13 have been amended for better conformance with 35 U.S.C. §112, first paragraph. Accordingly, withdrawal of this rejection is respectfully requested.

In the Office Action, claims 1-5, 7-8, 10 and 12 are rejected under 35 U.S.C. §102(b) over EP 1062914 (Lazarev). Further, claim 13 is rejected under 35 U.S.C. §103(a) over Lazarev in view of U.S. Patent No. 6,459,755 (Li). Applicants respectfully traverse and

submit that claims 1-4, 7-8, 10 and 12-16, as amended, are patentable over Lazarev and Li for at least the following reasons.

Lazarev is directed to a computerized tomography based on an object being imaged with small angle scattered radiation. As described in the Abstract, fan-shaped low-diverging beams formed by a collimator are directed to the object. As shown in FIG 2 and recited in paragraph [0035] of Lazarev, a primary or passed radiation 8 (as labeled in FIG 1), passing through the investigated object 4, first passes through a spatial filter 5, and then is received by a detector 3. The detector 3 also receives scattered radiation scattered 7 (as labeled in FIG 1) from the investigated object 4.

It is respectfully submitted that Lazarev does not disclose or suggest the present invention as recited in independent claim 1, and similarly recited in independent claims 10 and 13 which, amongst other patentable elements, recites (illustrative emphasis provided):

wherein the source of x-ray radiation is adapted to generate a fan-shaped radiation beam; wherein the single contiguous radiation detector array is asymmetrically arranged with respect to the fan-shaped radiation beam; wherein only a first part of the

single contiguous radiation detector array is used for a cone beam data acquisition and simultaneously only a second part of the single contiguous radiation detector array is used for scatter radiation measurements, wherein the first part is different from the second part and is contiguous to the second part.

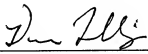
Lazarev does not even disclose or suggest any cone beam data acquisition, let alone disclosing or suggesting that only a first part of the single contiguous radiation detector array is used for the cone beam data acquisition, and simultaneously only a second part of the single contiguous radiation detector array is used for scatter radiation measurements, where the first part is different from the second part and is contiguous to the second part. Li is cited to allegedly show other features and does not remedy the deficiencies in Lazarev.

Accordingly, it is respectfully submitted that independent claims 1, 10 and 13 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-4, 7-8, 12 and 14-16 should also be allowed at least based on their dependence from amended independent claims 1, 10 and 13.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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